

1 The Honorable Marsha J. Pechman
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

11 JULIE DALESSIO, an individual,

12 Plaintiff,

13 v.

14 UNIVERSITY OF WASHINGTON, a
15 Washington Public Corporation; Eliza
16 Saunders, Director of the Office of Public
17 Records, in her personal and official
18 capacity; Alison Swenson, Compliance
19 Analyst, in her personal capacity; Perry
Tapper, Public Records Compliance
Officer, in his personal capacity; Andrew
Palmer, Compliance Analyst, in his
personal capacity; John or Jane Does 1-12,
in his or her personal capacity,

20 Defendant.

No. 2:17-cv-00642-MJP

PLAINTIFF'S MOTION FOR
RECONSIDERATION of Order Dkt. 178 Mooting
Plaintiff's Motion to Seal Dkt. 172

**Noted for Hearing: Wednesday, June 13,
2019**

I. RELIEF REQUESTED

1. Plaintiff, Ms. Dalessio, requests the Court reconsider its Minute order Dkt. 178 mooting Plaintiff's Motion FOR FILED DOCUMENTS TO REMAIN UNDER SEAL [Dkt. 172] and allow the motion to go forward and the docket entries to remain in the record.

II. LEGAL AUTHORITY

LCR 7(h) permits this Court to reconsider orders “upon showing of new facts . . . which could not have been brought to its attention earlier with reasonable diligence.”

III. PROCEDURAL HISTORY

On June 6, 2019 Plaintiff filed a motion for filed documents to remain under seal.

On June 7, 2019 this Court granted summary judgment to Defendants and ordered dismissal of this matter, and subsequently ordered “Plaintiff’s motion to seal is MOOT and Court’s direction, will be STRICKEN.” Dkt. 178

IV. ARGUMENT

1. New facts in this case warrant the relief sought

Ms. Dalessio intends to file a request for reconsideration of this Court's orders granting summary judgment and dismissal.

The documents filed under seal with Ms. Dalessio's motion for filed documents to remain under seal [Dkt. 172] along with its attached declarations and exhibits and the argument presented in the motion, will be relied upon for her impending motion for reconsideration of this Court's orders granting summary judgment and dismissal.

2. IT WOULD BE MANIFESTLY UNJUST To not allow the motion to seal to go forward

The 20 pages of documents that Ms. Dalessio is requesting remain under seal are new evidence that will be relied upon in Plaintiff's impending Motion for Reconsideration of Summary Judgement and Dismissal.

The documents that Ms. Dalessio is requesting remain under seal contain medical and
Motion for Reconsideration 2

1 other highly sensitive, personal information.

2 Ms. Dalessio should not have to disclose her private medical information in the public
3 court record to prove that defendants violated her privacy by disclosing it to the public through
4 the Public Records Act.

5 **3. There is no less restrictive alternative**

6 Plaintiff Julie Dalessio's attorney Joseph Thomas conferred by email with Defendants'
7 attorneys Jayne Freeman and Derek Chen on May 30-June 4, 2019 in attempts to reach agreement
8 on the need to file the documents under seal, and to minimize the amount of material filed under
9 seal. Defendants objected to filing a joint motion.. (see email chain attached to the Declaration
10 of Julie Dalessio in support of this motion.)

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12 Ms. Dalessio requests that her motion for filed documents to remain under seal go forward to
13 allow this new evidence to be considered, under seal, with her impending motion for
14 reconsideration of Summary judgment dismissal of her claims.

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16 Respectfully submitted this 13th day of June 2019.

17 Plaintiff *pro se*

18 Julie Dalessio

19 /s/ julie dalessio

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22 **Certificate of Service**

23 I hereby certify that on 13th of June 2019, I filed the foregoing with the Clerk of the Court
24 through the CM/ECF system which will automatically send electronic mail notification of such
25 filing to the CM/ECF registered participants as identified on the Electronic Email Notice List.

26 /s/ julie dalessio